

STATE OF CALIFORNIA  
DEPARTMENT OF GENERAL SERVICES - PROCUREMENT DIVISION



# Invitation For Bid

**DUE DATE**

4/18/2006

Responses must be delivered to the Procurement Division before 2:00 PM on the Due Date

SUPPLIER NAME AND ADDRESS  SIGARMS, Inc. 18 Industrial Drive Exeter, NH 03833		SOLICITATION NO. <b>55268</b>		REV.	DATE <b>3/30/2006</b>	DELIVERY DATE As Specified	PAGE 1
		PURCHASE EST. NO. <b>65629</b>		REV.	AGENCY BILLING CODE <b>08076</b>	AGENCY PURCHASE-EST. NO. <b>091E5224</b>	
SUPPLIER CONTACT: Raymond W. Reynolds PHONE: 603-418-8133 SUPPLIER NUMBER:		F.O.B. DESTINATION UNLESS BIDDER STATES OTHERWISE Agree				ARE YOU CLAIMING PREFERENCE AS A CALIFORNIA CERTIFIED SMALL BUSINESS? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
		0 % CASH DISCOUNT FOR PAYMENT WITHIN _____ DAYS.		SHIP TO: WEST SACRAMENTO, CA 95605		IF YES, MANUFACTURER? YES <input type="checkbox"/> NO <input type="checkbox"/>	
NAME (PRINT) Raymond W. Reynolds		SEE REQUIRED PAYMENT DATE OF THE GENERAL PROVISIONS PARAGRAPH 30.		Alt:		ARE YOU A NON-SMALL BUSINESS CLAIMING AT LEAST 25% SMALL BUSINESS SUBCONTRACTOR PREFERENCE? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
TITLE Vice President		FOR FURTHER INFORMATION, CONTACT TIM PATTON		BUYER PHONE 916-375-4412		SECTION 14835 ET SEQ. OF THE CALIFORNIA GOVERNMENT CODE REQUIRES THAT A 5% PREFERENCE BE GIVEN TO BIDDERS WHO QUALIFY AS A SMALL BUSINESS OR BIDDERS WHO QUALIFY AS A NON-SMALL BUSINESS CLAIMING AT LEAST 25% CALIFORNIA CERTIFIED SMALL BUSINESS PARTICIPATION FOR REQUIREMENTS SEE TITLE CALIFORNIA CODE OF REGULATIONS, SECTION 1896, ET SEQ. THE REQUIREMENTS FOR NONPROFIT VETERAN SERVICE AGENCIES QUALIFYING AS A SMALL BUSINESS ARE CONTAINED IN SECTION 999.50 ET SEQ. OF THE MILITARY AND VETERANS CODE.	
SIGNATURE 		DATE 04/16/06		Return To:			
TELEPHONE NUMBER 603-418-8133		FAX NUMBER 603-772-1481		DGS/PROCUREMENT DIVISION 707 3RD ST. 2ND FL(95605) P.O. BOX 989054 W SACRAMENTO, CA 95798			
FEDERAL EMPLOYER IDENTIFICATION NUMBER 62-1215991							

Bidder offers and agrees if this response is accepted within 45 calendar days from the date of opening to furnish all of the items upon which prices are quoted, at the prices set forth in the bid, delivered at the designated point(s) by the method of delivery and within the times specified above and subject to the attached General Provisions.

**DECLARATIONS UNDER PENALTY OF PERJURY:** By signing above, with inclusion of the date of signature, the above signed bidder DECLARES UNDER PENALTY OF PERJURY under the laws of the State of California as follows: (1) (STATEMENT OF COMPLIANCE). The above signed has complied with the non-discrimination program requirements of Government Code 12990 and Title 2, California Administrative Code Section 8103, and such declaration is true and correct. (2) The National Labor Relations Board declaration set forth in Paragraph 43 of the General Provisions is true and correct. (3) If a claim is made for the small business preference, the information set forth within is true and correct.

ITEM NO.	QUANTITY	UNIT	COMMODITY CODE	DESCRIPTION	UNIT PRICE	EXTENSION
----------	----------	------	----------------	-------------	------------	-----------

This bid cancels and supersedes Bid Number 55222, due April 6, 2006.

**RESPONSIBLE BIDDER:** THE DEPARTMENT OF GENERAL SERVICES MAY REQUIRE BIDDER(S) TO SUBMIT EVIDENCE OF THEIR QUALIFICATIONS AT SUCH TIMES, AND UNDER SUCH CONDITIONS, AS IT MAY REQUIRE. THE QUESTION OF WHETHER A PARTICULAR BIDDER IS A RESPONSIBLE BIDDER INVOLVES AN EVALUATION OF THE BIDDER'S EXPERIENCE, FACILITIES, REPUTATION, FINANCIAL RESOURCES, AND OTHER FACTORS EXISTING AT THE TIME OF CONTRACT AWARD. BEING PLACED ON THE STATE BID LIST, SHALL NOT PRECLUDE THE STATE FROM DETERMINING THAT THE BIDDER IS NOT A RESPONSIBLE BIDDER. IF DETERMINED TO BE NOT A RESPONSIBLE BIDDER, YOUR BID WILL BE REJECTED.

## FUNDING

THE CONTRACT RESULTING FROM THIS INVITATION FOR BID IS FUNDED OVER MULTIPLE FISCAL YEARS. THE RESULTING CONTRACT WILL BE CONTINGENT UPON AVAILABILITY OF FUNDS FROM THOSE FISCAL YEARS. THE STATE RESERVES THE RIGHT TO CANCEL THIS CONTRACT AT ANY TIME PRIOR TO COMPLETION DUE TO LACK OF FUNDING.

1	9736	EA	1005-002-0122-3	PISTOL SEMI-AUTOMATIC .40 CALIBER	\$599.00	/EA \$5,831,864.00
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Reference Brand: SMITH & WESSON  
Model: 4006 TSW

AUTO LOADING, DOUBLE ACTION, RECOIL OPERATED, .40 CALIBER, W/EQUIP. RAIL

STATE OF CALIFORNIA  
DEPARTMENT OF GENERAL SERVICES  
PROCUREMENT DIVISIONInvitation For Bid  
Continuation

SUPPLIER NAME SIGARMS, Inc.	SOLICITATION NO. REV. 55268	PAGE 2
--------------------------------	--------------------------------	-----------

ITEM NO.	QUANTITY	UNIT	COMMODITY CODE	DESCRIPTION	UNIT PRICE	EXTENSION
----------	----------	------	----------------	-------------	------------	-----------

(AS PER ATTACHED CHP VERSION PISTOL SPECIFICATIONS FOR THE S&W 4006TSW) EACH WEAPON SHALL INCLUDE SIX MAGAZINES (THREE MAGAZINES FITTED WITH - BLACK FLOOR PLATE AND THREE FITTED WITH BRIGHT RED FLOOR PLATE). SERIAL NUMBERS SHALL BE STAMPED ON THE WEAPON FRAME WITH "CHP" BEING USED AS THE ALPHA CHARACTERS. EACH WEAPON SHALL HAVE A UNIQUE 5-DIGIT CONTROL NUMBER LASER ETCHED ON THE FRAME, SLIDE, AND BARREL. THE CONTROL NUMBERS ETCHED ON ALL THREE LOCATIONS SHALL BE VISIBLE FROM THE RIGHT SIDE OF THE WEAPON. THE NUMBERING SEQUENCE SHALL CONSIST OF THE ALPHA "E" AND FOUR NUMBERS, COMMENCING WITH 0000 AND CONTINUING SEQUENTIALLY (E0000 THROUGH E97355). THE SERIAL AND CONTROL NUMBERS SHALL BE ETCHED AND IN CONTRASTING COLORS.

ALL EQUIPMENT SHALL BE LATEST IN CURRENT PRODUCTION. USED, SHOPWORN, DEMONSTRATOR, PROTOTYPE, OR DISCONTINUED MODELS ARE NOT ACCEPTABLE.

ALL BIDDERS/SUPPLIERS MUST BE FACTORY AUTHORIZED DISTRIBUTORS OR MANUFACTURER, AND OFFER FACTORY AUTHORIZED SERVICE FOR THE WEAPON. ALL BIDDERS MUST SUBMIT A LETTER FROM THE MANUFACTURER ON MANUFACTURER'S LETTERHEAD INDICATING THAT THEY ARE FACTORY AUTHORIZED FOR DISTRIBUTION AND SERVICE.

TRADE-IN: THIS PURCHASE INCLUDES TRADE-IN OF 7,718 CHP S&W MODEL 4006, .40 CALIBER PISTOLS. (FOR THE PURPOSE OF THIS BID, TRADE-IN VALUE IS A BID EVALUATION FACTOR)

PLEASE INDICATE TRADE-IN VALUE: \$349.00 /EA \$2,693,582.00 (TOTAL)

-\$2,693,582.00

Total Price: \$3,138,282.00

THE FOLLOWING ATTACHED DOCUMENTS ARE PART OF THIS SOLICITATION:

1. SPECIFICATIONS
2. BIDDER DECLARATION
3. BIDDERS INSTRUCTIONS
4. GENERAL PROVISIONS
5. TARGET AREA PREFERENCE ACT
6. ENTERPRISE ZONE ACT
7. LOCAL AGENCY & MILITARY BASE RECOVERY ACT
8. RECYCLE CONTENT CERTIFICATION

PLEASE NOTE THAT ITEMS #2, AND #8 MUST BE RETURNED WITH YOUR BID OR YOUR BID COULD BE CONSIDERED FOR REJECTION.

For the purpose of this bid, only bids quoted F.O.B. Destination will be accepted.

SPECIAL TERMS AND CONDITIONS  
SMITH & WESSON (S&W) 4006TSW PISTOLS

SUPPLIER TO PROVIDE 9,736 PISTOLS AT A SET PRICE WITH 0% INCREASE OVER A PERIOD OF 24 MONTHS FROM ACCEPTANCE OF FIRST DELIVERY.

- 1.0 PISTOLS SHALL BE PACKAGED INDIVIDUALLY IN CARDBOARD BOXES. PISTOLS SHALL BE PACKAGED 25 EACH PER BULK SHIPPING CASE (PISTOLS ONLY). CARDBOARD BOXES SHALL BE DURABLE AND WITHSTAND STACKING OF UP TO

STATE OF CALIFORNIA  
DEPARTMENT OF GENERAL SERVICES  
PROCUREMENT DIVISIONInvitation For Bid  
Continuation

SUPPLIER NAME SIGARMS, Inc.	SOLICITATION NO. REV. 55268	PAGE 3
--------------------------------	--------------------------------	-----------

ITEM NO.	QUANTITY	UNIT	COMMODITY CODE	DESCRIPTION	UNIT PRICE	EXTENSION
				25 EACH PISTOL BOXES IN A SINGLE BULK SHIPPING CASE.		
2.)				SUPPLIER SHALL PROVIDE A "LASER QUALITY", LEGIBLY PRINTED COPY OF THE SERIAL NUMBERS.		
3.)				SERIAL AND CONTROL NUMBERS ON THE PISTOLS SHALL BE IN CONTRASTING COLORS FOR LEGIBILITY.		
4.)				NO WARRANTY CARDS AND OWNER'S MANUALS TO BE PROVIDED WITH EACH INDIVIDUAL PISTOL.		
5.)				TEST FIRED/EXPENDED CASES SHALL NOT BE SHIPPED TO THE CALIFORNIA HIGHWAY PATROL (CHP). THIS IS NOT REQUIRED BY CALIFORNIA LAW.		
6.)				CABLE LOCKS SHALL BE BULK PACKAGED SEPARATE FROM THE PISTOLS.		
7.)				EACH PISTOL SHALL BE PROVIDED WITH SIX (6) MAGAZINES, THREE (3) WITH BLACK FLOOR PLATES AND THREE (3) WITH BRIGHT RED FLOOR PLATES). ALL MAGAZINES SHALL BE SHIPPED SEPARATE FROM THE PISTOLS. ALL BLACK FLOOR PLATED MAGAZINES WILL BE SHIPPED IN SEPARATE SHIPPING BOXES FROM THE RED FLOOR PLATED MAGAZINES.		
8.)				EACH INDIVIDUAL BULK SHIPPING CASE SHALL BE PROVIDED WITH A PACKING SLIP.		
9.)				SUPPLIER TO PROVIDE CREDIT FOR TRADE-IN OF 7,718 CHP SMITH & WESSON-MODEL 4006 PISTOLS (CHP SERVICE PISTOLS). ACTUAL NUMBER OF PISTOLS TO BE TRADED-IN MAY VARY IN QUANTITY, PLUS OR MINUS UP TO FIVE (5) PERCENT.		
				ALL TRADED-IN PISTOLS WILL BE SHIPPED BY THE CHP DIRECTLY TO THE SUPPLIER, S&W, OR THE DESIGNATED AUTHORIZED S&W DISTRIBUTOR HANDLING THE TRADED-IN PISTOLS.		
10.)				SUPPLIER TO PROVIDE AN INSPECTION CHECKLIST OF THE PISTOLS TO THE CHP ACADEMY GUNSMITHS PRIOR TO DELIVERY OF FIRST SHIPMENT. THE INSPECTION CHECKLIST WILL BE UTILIZED FOR COORDINATION OF UPDATES WITH S&W ENGINEERS ON ANY PERTINENT CHANGES AND FOR QUALITY CONTROL.		
11.)				FOUR (4) SETS OF GAUGES FOR THE S&W, MODEL 4006 TSW .40 CALIBER - PISTOLS SHALL BE PROVIDED FROM THE MANUFACTURER S&W AT NO EXTRA CHARGE. EACH SET TO INCLUDE A HEADSPACE-GAUGE, FIRING PIN - OPENING GAUGE, EXTRACTOR AND FLAG-GAUGE, HOOD-GAUGE, AND DECOCK - TIMING GAUGE.		
12.)				TRAINING THROUGH S&W AND AT THE S&W FACTORY TO BE PROVIDED FOR UP TO FOUR (4) CHP GUNSMITHS AND ONE (1) CHP OFFICER AT THE SUPPLIER'S EXPENSE, TO INCLUDE ALL TRAVEL-EXPENSES, LODGING, AND MEALS. TRAINING WILL ACCOMMODATE AND FAMILIARIZE CHP GUNSMITHS AND OFFICER WITH THE WEAPONS SYSTEM (AUTOMATIC PISTOL ARMORER CLASS, PLUS ONE WEEK ON WORKBENCH WITH WARRANTY SERVICE PERSONNEL). TRAINING TO BE PROVIDED PRIOR TO SHIPMENT OF FIRST DELIVERY OR SHORTLY AFTER - (NOT TO EXCEED 30 DAYS AFTER FIRST DELIVER, UNLESS AGREED UPON BY BOTH THE CHP AND SUPPLIER).		
13.)				ALL PISTOL PARTS TO BE PROVIDED WITH A LIFETIME WARRANTY FROM THE MANUFACTURER S&W, TO INCLUDE THE REPLACEMENT OF DAMAGED OR BROKEN PARTS THROUGH USE.		
14.)				ALL S&W, MODEL 4006 TSW .40 CALIBER PISTOLS THAT DO NOT PASS THE CHP ACADEMY GUNSMITH'S QUALITY CONTROL WILL BE SHIPPED BACK TO THE SUPPLIER FOR REPLACEMENT AND AT THE SUPPLIER'S COST.		

STATE OF CALIFORNIA  
DEPARTMENT OF GENERAL SERVICES  
PROCUREMENT DIVISIONInvitation For Bid  
Continuation

SUPPLIER NAME	SOLICITATION NO.	REV.	PAGE
SIGARMS, Inc.	55268		4

ITEM NO.	QUANTITY	UNIT	COMMODITY CODE	DESCRIPTION	UNIT PRICE	EXTENSION
----------	----------	------	----------------	-------------	------------	-----------

DELIVERY OF PISTOLS :

FISCAL YEAR 2006/2007 (JULY 1, 2006 THROUGH JUNE 30, 2007):

6,936 PISTOLS SHALL BE DELIVERED IN STATE FISCAL YEAR 2006/2007.  
 PISTOLS SHALL DELIVERED IN LOTS OF 500 EA - PISTOLS. FIRST DELIVERY TO  
 SHALL OCCUR BETWEEN JULY 1, 2006 AND JULY 7, 2006. THEREAFTER,  
 SHIPMENTS SHALL OCCUR EVERY 14 DAYS TO 21 DAYS. FINAL SHIPMENT FOR  
 FISCAL YEAR 2006/2007 SHALL BE 436 EA - PISTOLS.

FISCAL YEAR 2007/2008 (JULY 1, 2007 THROUGH JUNE 30, 2008):

2,800 PISTOLS SHALL BE DELIVERED IN STATE FISCAL YEAR 2007/2008.  
 PISTOLS SHALL DELIVERED IN LOTS OF 500 EA - PISTOLS. FIRST DELIVERY TO  
 SHALL OCCUR BETWEEN JULY 1, 2007 AND JULY 7, 2007. THEREAFTER,  
 SHIPMENTS SHALL OCCUR EVERY 14 DAYS TO 21 DAYS. FINAL SHIPMENT FOR  
 FISCAL YEAR 2006/2007 SHALL BE 300 EA - PISTOLS.

FOR THE PURPOSE OF THIS BID, ONLY THE SPECIFIED BRAND AND MODEL  
 WILL BE ACCEPTED.

NOTE: For the purpose of this bid, award will be made on an "All or None"  
 basis.

SMALL BUSINESS PREFERENCES: Bidders claiming the 5% preference must be certified by California as a small business or must commit to subcontract at least 25% of the net bid price with one or more California certified small businesses. Completed certification applications and required support documents must be submitted to the Office of Small Business and DVBE Certification (OSDC) no later than 5:00 p.m. on the bid due date, and the OSDC must be able to approve the application as submitted. Questions regarding certification should be directed to the OSDC at (916)375-4940.

SALES TAX: Sales tax is not to be included on the bid or in the bid pricing. If awarded this bid, sales tax should be added at time of invoicing. The sales tax rate applied should be based on the rate of the area the product is to be delivered to.

FAX BIDS WILL BE ACCEPTED FOR THIS SOLICITATION: Facsimile machine bids will be considered only if they are sent to (916)375-4613 for solicitations originating from the West Sacramento office. Bids sent to any other Procurement Division fax number will not be considered. To be considered, all pages of the faxed bid that are received prior to the bid opening time specified in the bid will be considered "the complete bid". Please be advised that there is a heavy demand placed on the fax machine receiving bids and the State assumes no responsibility if a supplier cannot transmit their bid via fax, if the entire bid is not received prior to the bid opening time.

TACPA/EZA/LAHBRA FORMS: This solicitation contains TACPA, EZA, and LAHBRA preference request forms. Please carefully review the forms and requirements. Bidders are not required to apply for these preferences. Denial of TACPA/EZA/LAHBRA preference requests is not a basis for rejection of the bid.

The State as part of its evaluation process reserves the right to verify, validate and clarify all information contained in the bid. This may include, but is not limited to, information from bidders, manufacturers, subcontractors and any other sources available at the time of bid evaluation. Bidder refusal to agree to and/or comply with these terms, or failure to provide additional supporting information at the State's request may result in the denial of the preferences requested.

Contracts awarded with applied preferences will be monitored throughout the life of the contract for compliance with statutory, regulatory and contractual requirements. The state will take appropriate corrective action and apply sanctions as necessary to enforce preference programs.

Any questions regarding TACPA/EZA/LAHBRA preferences should be directed

STATE OF CALIFORNIA  
DEPARTMENT OF GENERAL SERVICES  
PROCUREMENT DIVISIONInvitation For Bid  
Continuation

SUPPLIER NAME	SOLICITATION NO.	REV.	PAGE
SIGARMS, Inc.	55268		5

ITEM NO.	QUANTITY	UNIT	COMMODITY CODE	DESCRIPTION	UNIT PRICE	EXTENSION
----------	----------	------	----------------	-------------	------------	-----------

to the Department of General Services, Procurement Division at  
(916) 375-4609.

PLEASE NOTE: Only bids quoted on the State's own bid form will be considered. Bids submitted referencing vendor attachments which include legal terms and conditions that conflict with the State's general bid provisions shall be considered non-responsive and such bids shall be rejected.

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STATE OF CALIFORNIA  
DEPARTMENT OF GENERAL SERVICES  
PROCUREMENT DIVISIONInvitation For Bid  
Continuation

SUPPLIER NAME	SOLICITATION NO.	REV.	PAGE
SIGARMS, Inc.	55268		6

ITEM NO.	QUANTITY	UNIT	COMMODITY CODE	DESCRIPTION	UNIT PRICE	EXTENSION
----------	----------	------	----------------	-------------	------------	-----------

SELLER'S PERMIT

If applicable, please note that award will be conditional on providing the following documents prior to award:

You must provide your company's California retailer's seller's permit or certification of registration and, if applicable, the permit or certification of all participating affiliates, issued by California's State Board of Equalization (SBE), pursuant to all requirements as set forth in Sections 6487, 7101 and Sections 6452.1, 6487.3, 18510 of the Revenue and Taxation Code, and Section 18295.1 of the Public Contract Code. In order to expedite the process of verifying the validity of the permit, provide the SBE permit number in the space provided below (or attach a copy of the permit with your bid.)

Retailer's Seller's Permit Number: Pending

DECLARATION FORMS

All bidders must complete the Bidder Declaration GSPD-05-105 and include it with the bid response. When completing the declaration, bidders must identify all subcontractors proposed for participation in the contract. Bidders awarded a contract are contractually obligated to use the subcontractors for the corresponding work identified unless the State agrees to a substitution and it is incorporated by amendment to the contract.

Bidders who have been certified by California as a DVBE (or who are bidding rental equipment and have obtained the participation of subcontractors certified by California as a DVBE) must also submit a completed form(s) Std. 834 (Disabled Veteran Business Enterprise Declaration). All disabled veteran owners and disabled veteran managers of the DVBE(s) must sign the form(s). Should the form not be included with the solicitation, contact the State contracting official or obtain a copy online from the Department of General Services, Procurement Division, Office of Small Business and DVBE Services (OSDS) website at: [www.pd.dgs.ca.gov/smbus](http://www.pd.dgs.ca.gov/smbus). The completed form should be included with the bid response.

At the State's option prior to award, bidders may be required to submit additional written clarifying information. Failure to submit the requested written information as specified may be grounds for bid rejection.

SMALL BUSINESS REGULATIONS:

The Small Business regulations, located in the California Code of Regulations (Title 2, Division 2, Chapter 3, Subchapter 8, Section 1896 et seq.), concerning the application and calculation of the small business preference, small business certification, responsibilities of small business, department certification, and appeals are revised, effective 9/09/04. The new regulations can be viewed at ([www.pd.dgs.ca.gov/smbus](http://www.pd.dgs.ca.gov/smbus)). Access the regulations by clicking on the "Small Business Regulations" in the right sidebar. For those without Internet access, a copy of the regulations can be obtained by calling the Office of Small Business and DVBE Services at (916) 375-4940.

NON-SMALL BUSINESS SUBCONTRACTOR PREFERENCE:

A 5% bid preference is now available to a non-small business claiming 25% California certified small business subcontractor participation. If applicable, claim the preference in the box on the right-hand side of the first page of this solicitation.

STATE OF CALIFORNIA  
DEPARTMENT OF GENERAL SERVICES  
PROCUREMENT DIVISION

Invitation For Bid  
Continuation

SUPPLIER NAME	SOLICITATION NO.	REV.	PAGE
SIGARMS, Inc.	55268		7

ITEM NO.	QUANTITY	UNIT	COMMODITY CODE	DESCRIPTION	UNIT PRICE	EXTENSION
----------	----------	------	----------------	-------------	------------	-----------

SMALL BUSINESS NONPROFIT VETERAN SERVICE AGENCIES (SB/NVSA):  
SB/NVSA prime bidders meeting requirements specified in the Military and Veterans Code Section 999.50 et seq. and obtaining a California certification as a small business are eligible for the 5% small business preference. If applicable, claim the preference in the box on the right hand side of the first page of this solicitation.

ATTACHMENT WITH BID REQUIRED IF CLAIMING THE SMALL BUSINESS PREFERENCE:

All bidders must complete and include the Bidder Declaration from GSPD-05-105. If Claiming the non-small business subcontractor preference, the form must list all of the California certified small businesses with which you commit to subcontract in an amount of at least twenty-five percent (25%) of the net bid price. All certified small businesses must perform a "commercially useful function" in the performance of the contract as defined in Government Code Section 14837(d)(4).

SMALL BUSINESS CERTIFICATION: Bidders claiming the small business preference must be certified by California as a small business or must commit to subcontract at least 25% of the net bid price with one or more California certified small businesses. Completed certification applications and required support documents must be submitted to the Office of Small Business and DVBE Services (OSDS) no later than 5:00 p.m. on the bid due date, and the OSDS must be able to approve the application as submitted.

Small business nonprofit veteran service agencies (SB/NVSA) claiming the small business preference must possess certification by California prior to the day and time bids are due.

Questions regarding certification should be directed to the OSDS at (916) 375-4940.